

MEMO ENDORSED



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

USDS SDNY
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September 19, 2007

BY HAND

Honorable P. Kevin Castel
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Posr v. Camejo, et al., 07-CV-7583 (PKC)(JCF)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants in the above-referenced action, which arises out of plaintiff's arrest during the Republican National Convention. The parties jointly and respectfully request that Your Honor endorse the enclosed stipulation made by and between the parties, which provides as follows: (1) that defendants' time to answer the complaint or otherwise move shall be extended to and including thirty (30) days from the date upon which the last defendant is served with process; (2) that this action shall be referred to the Hon. Kenneth M. Karas, U.S.D.J. for consolidation with the other RNC cases; and (3) that the initial scheduling and pretrial conference that is set for October 19, 2007 at 9:30AM shall be adjourned, *sine die*.

The time for defendants City of New York and Michael Bloomberg to answer the complaint or otherwise move will expire on or about **September 25, 2007**. The remaining five individual defendants have not yet been served with process.¹ Accordingly, we respectfully request that the time for all defendants to answer or otherwise move be extended to and including

¹ Plaintiff also names as defendants the following individuals: Police Officer Tulio Camejo, Inspector [sic] Anthony Bologna, Police Commissioner Raymond Kelly, Joseph Esposito and Connie Fishman in this action. Without appearing or making any representations on their behalf, in the event that these individuals are properly served, this office respectfully requests that the same extension be granted to them so that their defenses are not jeopardized while representation issues are being decided.

Time to answer or otherwise move adjourned to October 29, Conference adjourned from October 19 to November 16, 2007 at 2:15 PM.
SO ORDERED.
[Signature]
USDT
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thirty (30) days from the date upon which the last defendant is served with process. Plaintiff's counsel has indicated that service of all defendants will be accomplished in approximately one week. This request is made with the consent of plaintiff's counsel.

In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, this additional time is needed to investigate the allegations of the complaint, to provide plaintiff with sufficient time to serve all other defendants, and to allow defendants to file one answer (rather than several) on behalf of all defendants. Additionally, it is our understanding that the records of the underlying criminal actions, including police records, may have been sealed pursuant to New York Criminal Procedure Law § 160.50. Therefore, this office forwarded to plaintiffs' counsel for execution by each plaintiff a consent and authorization for the release of sealed records so that defendants can access the information, properly assess the case, and respond to the complaint. No prior requests for an extension have been made by defendants.

In addition, for purposes of efficiency and judicial economy, the parties jointly request that the Court refer this case to the Honorable Kenneth M. Karas, U.S.D.J. for consolidation with the other RNC cases. In the event that this Court agrees to refer and consolidate the action, the parties also respectfully request that the initial scheduling and pretrial conference, which is currently set for October 19, 2007 at 9:30AM, be adjourned *sine die*.

By reason of the foregoing, the parties respectfully request that Your Honor endorse the enclosed stipulation and file same with the Clerk of the Court.

We thank the Court for its consideration.

Respectfully submitted,



Cheryl L. Shammas (CS 4108)

Alan D. Levine (AL 3634)

Cc.: Hon. Kenneth M. Karas, U.S.D.J.

Encl.